

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON FISH AND GAME

Call to Order: Chair Jennifer Fielder, on March 9, 2017 at 3:00 PM, in Room 422 Capitol

ROLL CALL

Members Present:

Sen. Jennifer Fielder, Chair (R)
Sen. Jedediah Hinkle, Vice Chair (R)
Sen. Jill Cohenour (D)
Sen. Tom Facey (D)
Sen. Steve Hinebauch (R)
Sen. David Howard (R)
Sen. Edith (Edie) McClafferty (D)
Sen. Mike Phillips (D)
Sen. Cary Smith (R)
Sen. Chas Vincent (R)
Sen. Jeffrey W. Welborn (R)

Members Excused: None

Members Absent: None

Staff Present: Pat Christian, Committee Secretary
Joe Kolman, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 311, 3/7/2017; HB 367, 3/7/2017

Executive Action:

HB 98: Be Concurred In as Amended
HB 128: Be Concurred In as Amended
HB 211: Be Concurred In
HB 214: Be Concurred In
SB 185: Do Pass as Amended
SJ 9: Do Pass

00:00:03 Chair Fielder
 00:00:58 Recess
 00:02:00 Sen. Cohenour and Sen. Smith left the meeting.
 00:02:44 Reconvene

HEARING ON HB 367

Opening Statement by Sponsor:

00:03:56 Rep. Becky Beard (R), HD 80, opened the hearing on HB 367, Create voluntary hunting license check-off for predator management.

Proponents' Testimony:

00:05:08 Abigail St. Lawrence, Rocky Mountain Stockgrowers Association
 00:09:34 Kim Skinner, member, Rocky Mountain Stockgrowers Association
 00:14:05 Jay Bodner, Montana Stockgrowers Association (MSGA)
 00:17:27 Chelcie Cargill, Montana Farm Bureau Federation
 00:19:26 Wilson Ilgenfritz, Montana Wool Growers Association

Opponents' Testimony:

00:20:04 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and Parks (FWP)

EXHIBIT(fis49a01)

00:22:30 Marc Cooke, Wolves of the Rockies

Informational Testimony: None

Questions from Committee Members and Responses:

00:24:17 Sen. McClafferty
 00:24:39 Mr. McDonald, FWP
 00:25:26 Sen. Facey
 00:25:48 Mr. McDonald
 00:26:05 Sen. Facey
 00:26:16 Mr. McDonald
 00:26:33 Sen. Phillips
 00:26:45 Mr. McDonald
 00:26:54 Sen. Phillips
 00:27:16 Rep. Beard
 00:27:26 Sen. Phillips
 00:27:51 Rep. Beard
 00:28:06 Sen. Phillips
 00:28:37 Rep. Beard
 00:29:02 Sen. Hinebauch
 00:29:31 Mr. Bodner, MSGA

00:30:05 Sen. Vincent
 00:30:39 Mr. McDonald
 00:30:52 Sen. Vincent
 00:31:29 Rep. Beard

Sen. Welborn left the meeting.

Closing by Sponsor:

00:31:56 Rep. Beard

HEARING ON HB 311

Opening Statement by Sponsor:

00:33:28 Rep. Rae Peppers (D), HD 41, opened the hearing on HB 311, Provide veteran preference for certain block management areas on Veterans' Day.

Proponents' Testimony:

00:36:18 John Felman, former state representative
 00:37:14 Frank Smith, citizen
 00:38:11 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and Parks (FWP)
 00:38:33 Jean Johnson, Montana Outfitters and Guides Association

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

00:39:35 Sen. McClafferty
 00:40:10 Rep. Peppers
 00:40:26 Sen. Hinkle
 00:41:34 Rep. Peppers
 00:42:00 Sen. Hinkle
 00:42:15 Rep. Peppers
 00:42:47 Sen. Hinkle
 00:43:30 Rep. Peppers
 00:43:38 Sen. Vincent
 00:44:40 Mr. McDonald, FWP

Closing by Sponsor:

00:45:39 Rep. Peppers

EXECUTIVE ACTION ON HB 128

00:48:12 **Motion:** Sen. Hinkle moved that **HB 128 BE CONCURRED IN.**

00:48:49 **Motion:** Sen. Hinkle moved that **HB 128 BE AMENDED.**
[EXHIBIT\(fis49a02\)](#)

Discussion:

00:50:03 Joe Kolman, Legislative Services Division (LSD)
 00:50:15 Sen. Phillips
 00:50:50 Chair Fielder
 00:51:03 Sen. Phillips
 00:51:07 Chair Fielder
 00:51:12 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and
 Parks (FWP)
 00:51:41 Sen. Vincent
 00:52:00 Chair Fielder

00:52:16 Sen Welborn entered the meeting.

00:52:33 Sen. Facey
 00:53:01 Chair Fielder
 00:53:09 Sen. Facey
 00:53:31 Chair Fielder
 00:53:47 Sen. Hinkle
 00:54:18 Chair Fielder
 00:54:36 Sen. Vincent
 00:54:48 Chair Fielder
 00:54:58 Sen. Vincent

00:55:11 **Vote:** Motion carried unanimously by voice vote. Sen. Cohenour and Sen. C.
 Smith voted by proxy.

00:55:32 Sen. Vincent
 00:55:55 Chair Fielder

00:56:00 **Motion:** Sen. Hinkle moved that **HB 128 BE CONCURRED IN AS AMENDED.**

00:56:08 **Motion:** Sen. Vincent moved that **HB 128 BE AMENDED CONCEPTUALLY TO
 PLACE A SUNSET DATE OF JULY 1, 2027.**

Discussion:

00:56:10 Mr. Kohlman, LSD
 00:56:17 Sen. Vincent
 00:56:30 Chair Fielder

00:56:34 **Vote:** Motion carried unanimously by voice vote. Sen. Cohenour and Sen. C.
 Smith voted by proxy.

00:57:38 **Motion:** Sen. Hinkle moved that **HB 128 BE CONCURRED IN AS AMENDED.**

Discussion:

00:57:46 Sen. Facey
 00:58:06 Chair Fielder
 00:58:11 Sen. Welborn
 00:59:10 Sen. Facey
 00:59:20 Sen. Hinkle
 00:59:28 Sen. Facey
 00:59:32 Sen. Hinkle
 00:59:50 Mr. McDonald, FWP
 01:00:15 Chair Fielder

01:00:39 **Vote:** Motion carried unanimously by voice vote. Sen. Cohenour and Sen. C. Smith voted by proxy. Sen. Welborn will carry the bill.

EXECUTIVE ACTION ON HB 211

01:01:42 **Motion:** Sen. Hinkle moved that **HB 211 BE CONCURRED IN.**

Discussion:

01:01:52 Sen. Facey
 01:02:39 Sen. Howard
 01:03:16 Sen. Phillips

01:04:11 **Vote:** Motion carried 8-3 by roll call vote with Sen. Hinebauch, Sen. Howard and Sen. Vincent voting no. Sen. Cohenour and Sen. C. Smith voted by proxy. Sen. Facey will carry the bill.

EXECUTIVE ACTION ON HB 214

01:05:53 **Motion/Vote:** Sen. Hinkle moved that **HB 214 BE CONCURRED IN.** Motion carried unanimously by voice vote. Sen. Cohenour and Sen. C. Smith voted by proxy. Sen. Cohenour will carry the bill.

EXECUTIVE ACTION ON HB 98

01:07:16 Chair Fielder
 01:07:30 Sen. Phillips
 01:07:45 Joe Kolman, Legislative Services Division (LSD)

01:07:51 **Motion:** Sen. Hinkle moved that **HB 98 BE CONCURRED IN.**

Discussion:

01:08:00 Sen. Fielder
 01:08:35 Sen. Phillips
 01:08:39 Chair Fielder

01:09:07 **Motion:** Sen. Hinkle moved that **HB 98 BE AMENDED.**
[EXHIBIT\(fis49a03\)](#)

Discussion:

01:09:17 Sen. Fielder

01:10:03 **Substitute Motion:** Sen. Phillips made a substitute motion **TO SEGREGATE SECTION 1 OF AMENDMENT HB009802.AJK.**

Discussion:

01:10:46 Mr. Kolman, LSD

01:10:59 Sen. Phillips

01:11:04 Mr. Kolman

01:11:32 Sen. Phillips

01:12:18 Mr. Kolman

01:12:43 **Substitute Motion:** Sen. Phillips made a motion **TO AMEND THE SUBSTITUTE MOTION AND SEGREGATE SECTIONS 1, 2, 3, AND 5 OF AMENDMENT HB009802.AJK.**

Discussion:

01:12:56 Sen. Fielder

01:13:06 **Vote:** Motion failed 5-6 by roll call vote with Sen. Cohenour, Sen. Facey, Sen. McClafferty, Sen. Phillips and Sen. Welborn voting aye. Sen. Cohenour and Sen. C. Smith voted by proxy.

Discussion:

01:14:45 Sen. Vincent

01:15:07 Chair Fielder

01:15:39 Sen. Smith entered the meeting.

01:15:48 Sen. Vincent

01:15:56 Chair Fielder

01:15:51 Sen. Vincent

01:16:00 Chair Fielder

01:16:16 Sen. Phillips

01:17:42 Chair Fielder

01:18:24 Sen. Hinkle

01:18:54 Sen. Howard

01:19:23 Chair Fielder

01:19:27 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and Parks (FWP)

01:19:33 Chair Fielder

01:19:40 Mr. McDonald, FWP

01:20:48 Chair Fielder

01:21:25 **Vote:** Motion carried 6-5 by roll call vote with Sen. Cohenour, Sen. Facey, Sen. McClafferty, Sen. Phillips and Sen. Welborn voting no. Sen. Cohenour voted by proxy.

01:22:40 **Motion:** Sen. Hinkle moved that **HB 98 BE CONCURRED IN AS AMENDED.**

Discussion:

01:22:49 Sen. Phillips

01:23:08 Chair Fielder

01:23:16 Sen. Vincent

01:24:15 Chair Fielder

01:24:53 **Vote:** Motion carried 7-4 by roll call vote with Sen. Cohenour, Sen. Facey, Sen. McClafferty and Sen. Phillips voting no. Sen. Cohenour voted by proxy. Sen. Fielder will carry the bill.

EXECUTIVE ACTION ON SB 185

01:26:06 Chair Fielder

01:26:21 **Motion:** Sen. Hinkle moved that **SB 185 DO PASS.**

01:26:31 Chair Fielder

01:26:59 **Motion:** Sen. Hinkle moved that **SB 185 BE AMENDED.**

[EXHIBIT\(fis49a04\)](#)

Discussion:

01:27:10 Chair Fielder

01:27:52 Joe Kolman, Legislative Services Division

01:27:55 Chair Fielder

01:28:25 Sen. Hinebauch

01:28:33 Chair Fielder

01:28:45 Sen. Hinebauch

01:29:26 Chair Fielder

01:29:41 Jean Johnson, Montana Outfitters and Guides Association

01:29:51 Sen. Vincent

01:29:58 Ken McDonald, Wildlife Division administrator, Department of Fish, Wildlife, and Parks (FWP)

01:30:12 Sen. Vincent

01:30:19 Mr. McDonald, FWP

01:30:30 **Vote:** Motion carried 10-1 by voice vote with Sen. Hinebauch voting no. Sen. Cohenour voted by proxy.

01:31:02 **Motion/Vote:** Sen. Hinkle moved that **SB 185 DO PASS AS AMENDED.**
Motion carried 10-1 by voice vote with Sen. McClafferty voting no. Sen.
Cohenour voted by proxy.

EXECUTIVE ACTION ON SJ 9

01:31:46 **Motion:** Sen. Phillips moved that **SJ 9 DO PASS.**

Discussion:

01:32:00 Chair Fielder
01:32:04 Sen. Vincent
01:33:32 Sen. Smith
01:33:54 Sen. Phillips
01:34:50 Sen. Facey
01:35:43 Chair Fielder

01:35:55 **Vote:** Motion carried 7-4 by roll call vote with Sen. Fielder, Sen. Hinebauch,
Sen. Howard and Sen. Vincent voting no. Sen. Cohenour voted by proxy.

Committee Business:

01:36:52 Chair Fielder
01:37:30 Sen. Vincent

ADJOURNMENT

Adjournment: 4:38 PM

Pat Christian, Secretary

pc

Additional Documents:

EXHIBIT([fis49aad.pdf](#))